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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,529	11/21/2000	Amy Hobbs Atzel	13415.I-US-01	1794
52793	7590	08/23/2006	EXAMINER	
AMY ATZEL				LEWIS, CHERYL RENEA
3116 12TH AVE S. UNIT 207				PAPER NUMBER
MINNEAPOLIS, MN 55407				2167

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/717,529	ATZEL, AMY HOBBS
	Examiner Cheryl Lewis	Art Unit 2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 May 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-47 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-47 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. This Office Action is in response to the applicant's communication received on May 30, 2006.
2. Claims 1-47 are presented for examination.
3. Applicant's arguments with respect to claims 1-47 have been considered but are moot in view of the new grounds of rejection.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1, 9, 22, and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 9, 22, and 35 recite "unformatted text", "data", and "unformatted data".

What are the unformatted text, data, and unformatted data? The claims provide a detailed description of the "unique identifier" as an electronic file. The claims further provide a detailed description about the functionality of the unique identifier. The claims state that the unique identifier is parsed, in an effort to identify the unique identifier as an electronic file. However, the claims are silent about the detailed, functional process of "unformatted text", "data" and

"unformatted data". What happens to these claim limitations within the claims and how are these limitations being processed?

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Snyder et al. (Pat. No. 6,038,561 filed September 15, 1997, priority to provisional application no. 60/028,437 filed October 15, 1996, hereinafter Snyder).

8. Regarding Claims 1, 9, 22, and 35, Snyder teaches a management and analysis of document information text.

The method and associated system for a management and analysis of document information text as taught or suggested by Snyder includes:

receiving a text request comprising a unique identifier and unformatted text (figures 9B-11A, col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55), wherein the unique identifier identifies an electronic file (figures 9B-11A, col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55); parsing the text request to identify the unique identifier (col. 21, lines 30-67, col. 22, lines 1-19); and

requesting the electronic file identified by the unique identifier (col. 27, lines 13-55).

9. Regarding Claims 2, 10, 23, and 36, Synder teaches providing the unique identifiers to a user for selection of one or more of the unique identifiers (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55); and querying the user to order the file identified by the selected unique identifiers (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

10. Regarding Claims 3, 11, 24, and 37, Snyder teaches querying a user for delivery of a file identified by the selected unique identifiers identifies (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

11. Regarding Claims 4, 12, 25, and 38, Snyder teaches files identified by the selected unique identifiers are delivered as a bundle (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

12. Regarding Claims 5, 13, 26, 39, Snyder teaches receiving in a browser window a text request selected from another window (figure 1B, col. 11, lines 1-20).

13. Regarding Claims 6, 17, 30, 43, Snyder teaches the file is selected from a group consisting document files identifiers (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

14. Regarding Claims 7, 18, 31, 44, Synder teaches the parsing step is executed by a client computer identifies (col. 21, lines 30-67, col. 22, lines 1-19, col. 25, lines 50-67, col. 26, line s1-67, col. 27, lines 1-55).

15. Regarding Claims 8, 19, 32, 45, Synder teaches the parsing step is executed by a server computer (col. 21, lines 30-67, col. 22, lines 1-19, col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

16. Regarding Claims 14, 27, 40, Snyder teaches the item is an electronic file (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

17. Regarding Claims 15, 28, 41, Snyder teaches the item is a consumer product (col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

18. Regarding Claims 16, 29, 42, Snyder teaches the item is a service col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

19. Regarding Claims 20, 33, 46, Snyder teaches the request comprises text col. 25, lines 50-67, col. 26, lines 1-67, col. 27, lines 1-55).

20. Regarding Claims 21, 34, 47, Snyder teaches the request comprises an image and the parsing step comprises the step of matching the image to a unique image (figure 9E, element 952).

#### **NAME OF CONTACT**

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cheryl Lewis  
Patent Examiner  
August 21, 2006